

Certified Mail No. 7017 2680 0000 9293 9274

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B104(FORM 104) (08/07)

FILED
U.S. BANKRUPTCY COURT

2018 FEB 15 P 2:18

S.D. OF N.Y.

ANNEX PETITION

BANKRUPTCY CASE IN WHICH THIS ADVERSARY PROCEEDING ARISES

NAME OF DEBTOR

BANKRUPTCY CASE NO.

GMAC MORTGAGE

1:12-BK-12020

DISTRICT IN WHICH CASE IS PENDING

DIVISION OFFICE NAME OF JUDGE

NEW YORK SOUTHERN

MANHATTAN

JUDGE GLENN

RELATED ADVERSARY PROCEEDING (IF ANY)

PLAINTIFF

DEFENDANT

**ADVERSARY
PROCEEDING NO.**

SHEIK TEHUTI

**GMAC MORTGAGE
HOMECOMING FINANCIAL
OCWEN
BANK OF NEW YORK MELLON TRUST
MORTGAGE ELECTRONIC INFORMATION SYSTEM
HA TO TU**

ESTATE OF SHEIK TEHUTI

JUDICIAL NOTICE JUDGE GLENN AND CREDIT COMMITTEE ROBERT FEINSTEIN

Violation of National Banking Act of 1864, which authorized the Comptroller of the Currency (A Department of the Department of Treasury to Issue United States Bonds and for National banking, Associations to do real loans, not to do mortgages for more than 5 years; see attached Motion to Transfer to Bankruptcy Court. The property located at 3416 Manordale Court, Forest Hill, Texas 76140, Sheik Tehuti acquired a home improvement loan from Available Mortgage, there is no disclosure of any assignments or transfers that notice was given. The Available Mortgage was found guilty of mortgage fraud and was closed out of business, without any notice or assignment, 8 year after the property was paid for a non-disclose assignment to Homecoming Financial, GMAC Mortgage, MEIRS, OCWEN, Bank of New York Mellon Trust and Ha To Tu, is a denial of due process claim and subject matter jurisdiction. The attached B10 Modified Proof of Claim form and Deed of Trust were never made notification of the Bankruptcy proceedings until the attached petition was filed in the 342nd District Court. Attorney Keith Anderson of Bradley Arant Boult Cummings LLP sent a Notice of Bankruptcy Status that this property was in the bankruptcy pool of GMAC and petition is under bankruptcy court, order

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pursuant to 63(g) plan, Art XIII.K, moreover both Sect. G. of Paragraph 40 of the Confirmation Order and retention of jurisdiction Article IX.I of Plan, in addition the confirmation order provides the following:

RETENTION OF JURISDICTION

Notwithstanding the entry of the Confirmation Order and the occurrence of the Effective Date, on and after the Effective Date, the Bankruptcy Court shall retain exclusive jurisdiction over all matters arising out of, or related to, the Chapter 11 Cases and the Plan pursuant to sections 105(a) and 1142 of the Bankruptcy Code, including jurisdiction:

(c) to hear and determine any matter, case, controversy, suit, dispute, or Causes of Action: (i) regarding the existence, nature, and scope of the releases, injunctions, and exculpation provided under the Plan, and (ii) enter such orders as may be necessary or appropriate to implement such releases, injunctions, and other provisions;

According to the claims of the title holders Available Mortgage, Homecoming Financial, GMAC Mortgage, MEIRS, OCWEN, Bank of New York Mellon Trust and Ha To Tu has extorted, violated bankruptcy claims that all courts has an "injunction" provision that among other things, enjoins all parties from "commencing or continuing in any matter or action or other proceeding of any kind" relating to claims that are released under the Plan.

VIOLATIONS OF SUBJECT MATTER JURISDICTION

1. Unlawful foreclosure Non-judicial foreclosure non-disclosure of amounts of money of reported sales of property, Available Mortgage Homecoming Financial, GMAC Mortgage, MEIRS, OCWEN, Bank of New York Mellon Trust and Ha To
2. Violation of Court Order from Judge Glenn (Confirmation Order, 63(g); Plan Art. XIII.K).
3. Retention of Jurisdiction. The business and assets of the Debtors shall remain subject to the jurisdiction of this Court until the Effective Date. Notwithstanding the entry of this Order, from and after the Effective Date, the Court shall retain such jurisdiction over the Chapter 11 Cases as is legally permissible, including jurisdiction over those matters and issues described in Article XII of the Plan.

VIOLATION OF DUE PROCESS

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4. Ha To Tu filed an eviction on the property in Justice of Peace Court Precinct 8 and posted a notice on the door of the property and the Constable set all property on the street on February 14, 2018, see attached petition.
5. Denial of due process and court order from Bankruptcy Court Judge Glenn and Credit Committee Robert Feinstein.
6. Failure to notify.

Request for adversary petition and a forensic audit of bankruptcy funds of Available Mortgage, Homecoming Financial, GMAC Mortgage, MEIRS, OCWEN, Bank of New York Mellon Trust and Ha To Tu and motion to transfer.

VIOLATION OF INJUNCTION ORDER, ARTICLE IX.I OF PLAN CONTAINING AN
INJUNCTION, REQUIRE RIGHT TO SUBROGATION SHEIK TEHUTI EQUITY

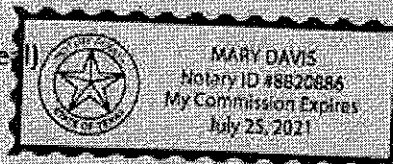
UCC 1-308 All Rights Reserved
Respectfully submitted,

By: Sheik Tehuti
Sheik Tehuti
(214) 809-8925
P.O. Box 912
Hutchins, TX 75141
sheik.tehuti@yahoo.com

JURAT

SUBSCRIBED TO AND SWORN before me this 14th day of February, A.D. 2018, a Notary, that Sheik Tehuti, personally appeared and known to me to be the man whose name subscribed to the within instrument and acknowledged to be the same.

Mary Davis (Seal)
Notary Public in and for said State



My Commission expires; 7-25-2021

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re GMAC

CASE NO. 1:12-bk-12020

TO: JUDGE GLENN

CREDIT COMMITTEE Robert Feinstein

AFFIDAVIT OF ADVERSE CLAIM

I, Sheik Tehuti, of legal age, whose residence is in the county of Dallas and State of Texas and P.O. Box 912 Hutchins, Texas 75141, being duly sworn to in accordance with law, depose and state:

That there is a violation of the NATIONAL Banking Act of 1864, which authorized the Comptroller of the Currency (A Department of the Department of Treasury to Issue United States Bonds and for National banking. Associations to do real loans, not to do mortgages for more than 5 years. Violation of the New York Bankruptcy Court Case No 1:12-bk-12020, violation of court order pursuant to 63(g) plan, Art XIII.K, moreover both Sect. G. of Paragraph 40 of the Confirmation Order of Judge Glenn and retention of jurisdiction Article IX.I of Plan, in addition the confirmation order provides the following:

RETENTION OF JURISDICTION

Notwithstanding the entry of the Confirmation Order and the occurrence of the Effective Date, on and after the Effective Date, the Bankruptcy Court shall retain exclusive jurisdiction over all matters arising out of, or related to, the Chapter 11 Cases and the Plan pursuant to sections 105(a) and 1142 of the Bankruptcy Code, including jurisdiction:

(c) to hear and determine any matter, case, controversy, suit, dispute, or Causes of Action: (i) regarding the existence, nature, and scope of the releases, injunctions, and exculpation provided under the Plan, and (ii) enter such orders as may be necessary or appropriate to implement such releases, injunctions, and other provisions;

Retention of Jurisdiction. The business and assets of the Debtors shall remain subject to the jurisdiction of this Court until the Effective Date. Notwithstanding the entry of this Order, from and after the Effective Date, the Court shall retain such jurisdiction over the

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Chapter 11 Cases as is legally permissible, including jurisdiction over those matters and issues described in Article XII of the Plan.

Denial of Due Process the claimant of the property located at 3416 Manordale Court, Forest Hill, Texas 76140, Defendants Available Mortgage, Homecoming Financial, GMAC Mortgage, the MEIRS, OCWEN, Bank of New York Mellon Trust, Ha To Tu and Constables from Precinct 8 failed to notify the bankruptcy court or Robert Feinstein of the Credit Committee of the \$80,000.00 up to \$1,000,000.00 dollars collected on the property at 3416 Manordale Court, Forest Hill, Texas 76140. The proof of title and Deed of Trust proves Sheik Tehuti to be the owner of said property and heir since 1998. Sheik Tehuti request all funds be transferred to the Bankruptcy Court and the subordination of the property being ordered return to Sheik Tehuti.

UCC 1-308 All Rights Reserved
Respectfully submitted,

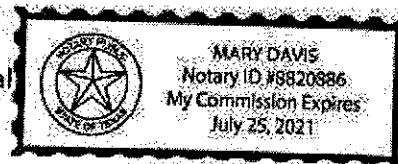
By: Sheik Tehuti
Sheik Tehuti
(214) 809-8925
P.O. Box 912
Hutchins, TX 75141
sheik.tehuti@yahoo.com

JURAT

SUBSCRIBED TO AND SWORN before me this 14th day of February, A.D. 2018, a Notary, that Sheik Tehuti, personally appeared and known to me to be the man whose name subscribed to the within instrument and acknowledged to be the same.

Mary Davis

(Seal)



Notary Public in and for said State

My Commission expires; 7-25-2021

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re GMAC

CASE NO. 1:12-bk-12020

TO: JUDGE GLENN
CREDIT COMMITTEE Robert Feinstein

ORDER

Stay of execution of violations of Judge Glenn Order pursuant to 63(g) plan, Art XIII.K, moreover both Sect. G. of Paragraph 40 of the Confirmation Order of Judge Glenn and retention of jurisdiction Article IX.I of Plan, in addition the confirmation order provides the following:

RETENTION OF JURISDICTION

Notwithstanding the entry of the Confirmation Order and the occurrence of the Effective Date, on and after the Effective Date, the Bankruptcy Court shall retain exclusive jurisdiction over all matters arising out of, or related to, the Chapter 11 Cases and the Plan pursuant to sections 105(a) and 1142 of the Bankruptcy Code, including jurisdiction:

There all claims against the property at 3416 Manordale Court Forest Hills, Texas 76140 be filed with the Credit Committee for proof of ownership of title, creditor, debtor and status of claims.

Presiding Judge

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re GMAC

CASE NO. 1:12-bk-12020

MOTION TO TRANSFER, BANKRUPTCY FRAUD

**VIOLATION OF INJUNCTION ORDER, ARTICLE IX.I OF PLAN
CONTAINING AN INJUNCTION, REQUIRE RIGHT TO SUBROGATION
SHEIK TEHUTI EQUITY, FRCP 12(b)(3)**

V. UNITED STATES 318 U.S. 363 (1943)

**TO: JUDGE GLENN
CREDIT COMMITTEE Robert Feinstein**

**Plaintiff
Sheik Tehuti**

**Violation of Bankruptcy Injunction claim Plaintiff Sheik Tehuti to the property 3416
Manordale Court, Forest Hill, Texas pool by GMAC**

**Defendants
Available Mortgage
Homecoming Financial
GMAC Mortgage
OCWEN
Bank of New York Mellon Trust
Mortgage Electronic Registration Systems
Ha To Tu**

**Judges
Justice of Peace Precinct 8 Lisa Woodard
County Court at Law No. 1 Don Pierson
48th Judicial District Court David Evans
67th Judicial District Court Don Cosby
342nd Judicial District Court Wade Birdwell**

Attorney	
Michael Zientz	Proof of Bond
Kelly Curnutt	Proof of Bond
Leslie Fisher	Proof of Bond

Case Numbers
67th District Court 067-282078-15 Proof of Bond
JP08- 16-E-00085117, JP08-16-E00087186, JP08-17 -E00090967 and JP08-17-E91334 Proof of Bond
County Court at Law 1 2017-001986-1 Proof of Bond
342nd District Court 324-295480-17 and 48th District Court 048-295480-17 Proof of Bond

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**JUDICIAL NOTICE TO CLERK OF THE COURT
THOMAS WILDER AND ALL DEFENDANTS VIOLATION
OF INTERFERENCE AND TRESPASSING, VIOLATION OF
DUE PROCESS, VIGILANTE LAW – PREJUDICE, BIAS BY
COERCE OF VIGILANTE LAW, COUNTY COURT AT LAW 1,
342ND DISTRICT COURT AND 48TH DISTRICT COURT
CEASE AND DECIST ANYMORE ORDERS BY CLERK OF COURT
AND DEFAMATION OF CHARACTER HAVE NO CLAIM OR
STATUS AGAINST SHEIK TEHUTI IN UNLAWFUL
FORECLOSURE OF HIS PROPERTY**

The alternative tactic to create a crime of identity and SSN is not the issue of this case; this case discloses the bank fraud by the past plaintiff claim of ownership and delegation to sell and buy property though the clerk office never reported to the bankruptcy court, order pursuant to 63(g) plan, Art XIII.K, moreover both Sect. G. of Paragraph 40 of the Confirmation Order and retention of jurisdiction Article IX.I of Plan, in addition the confirmation order provides the following:

RETENTION OF JURISDICTION

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(c) to hear and determine any matter, case, controversy, suit, dispute, or Causes of Action: (i) regarding the existence, nature, and scope of the releases, injunctions, and exculpation provided under the Plan, and (ii) enter such orders as may be necessary or appropriate to implement such releases, injunctions, and other provisions;

By this notice summation, this notice of bankruptcy status for the sole purpose of the clerk of court Thomas Wilder, Judge Lisa Woodard, Judge Don Cosby, Judge Wade Birdwell and Judge David Evans; Attorney Michael Zientz, Attorney Kelly Curnutt and Attorney Leslie Fisher are all parties to this action of the Bankruptcy Court case 1:12-bk-12020, request transfer case no.

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048-295480-17, 048-295637 and 048 296137-17 to the Bankruptcy Court 1:12-bk-12020 now amended and annex.

UCC 1-308 All Rights Reserved
Respectfully submitted,

By: Sheik Tehuti

Sheik Tehuti, High Priest

(214) 809-8925

sheik.tehuti@yahoo.com

P.O. Box 912

Hutchins, TX 75141

JURAT

SUBSCRIBED TO AND SWORN before me this 14th day of February, A.D. 2018, a Notary, that Sheik Tehuti, personally appeared and known to me to be the man whose name subscribed to the within instrument and acknowledged to be the same.

Mary Davis (Seal)
Notary Public in and for said State

My Commission expires: 7-25-2021

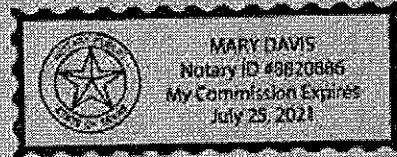


EXHIBIT A

P 28-18
0224

WRIT OF POSSESSION
Cause No. 2917-006536-1

HA TO TU	§	COUNTY COURT AT LAW
VS	§	NO. 1
SHEIK TEHITI TAHAMME NATIONAL OF NATIONAL FOUNDATION TRUST AND ALL OCCUPANTS	§	TARRANT COUNTY, TEXAS

TO ANY SHERIFF OR CONSTABLE OF THE STATE OF TEXAS--GREETINGS:

On November 28, 2017 in the above case, judgment was granted against Defendant(s) (referred to as the tenant) (referred to as the landlord) to possession of the premises described below:

3416 Manorale Court, Forest Hill, TX 76140

YOU ARE THEREFORE COMMANDED TO:

1. Post a written warning of at least 8-1/2 by 11 inches on the exterior of the front door of the rental unit no the writ has been issued and that the writ will be executed on or after a specific date and time stated in the than 24 hours after the warning is posted, and
2. When the writ is executed,
 - A) Deliver possession of the premises to the landlord,
 - B) Instruct the tenant and all persons claiming under the tenant to leave the premises immediately, and comply, physically remove them;
 - C) Instruct the tenant to move or to allow the landlord, the landlord's representatives, or other officer's supervision to remove all personal property from the rental unit other than personal owned by the landlord; and
 - D) Place, or have an authorized person place, the removed personal property outside the rental unit not blocking a public sidewalk, passageway, or street and not while it is raining, sleeting, or snowing.

YOU ARE HEREBY AUTHORIZED AT YOUR DISCRETION TO:

- E) Engage the services of a bonded or insured warehouseman to remove and store, subject to applicable property at no cost to the landlord or the officer executing this writ.
- F) You may not require the landlord to store the property.

ARE HEREBY NOTIFIED THAT:

- G) Pursuant to Section 7.003, Civil Practice and Remedies Code, you are not liable for damage of the writ if you execute the writ in good faith and with reasonable diligence.
- H) You may use reasonable force in executing this writ.

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re GMAC

CASE NO. 1:12-bk-12020

TO: JUDGE GLENN

CREDIT COMMITTEE Robert Feinstein

ORDER

Motion to Transfer all case and file document to the Credit Committee Attn Robert Feinstein for proof of claim as debtor, creditor, claims and status for the property located at 3416 Manordale Court Forest Hills, Texas 76140 of Defendants Available Mortgage, Homecoming Financial, GMAC Mortgage, the MEIRS, OCWEN, Bank of New York Mellon Trust, Ha To Tu for violation of the New York Bankruptcy Court Case No 1:12-bk-12020, violation of court order pursuant to 63(g) plan, Art XIII.K, moreover both Sect. G. of Paragraph 40 of the Confirmation Order of Judge Glenn

Presiding Judge